

Message Text

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ORIGIN ARA-20

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P R 101711Z MAY 74

FM SECSTATE WASHDC

TO AMEMBASSY PANAMA PRIORITY

INFO USMISSION GENEVA

AMEMBASSY BERN

C O N F I D E N T I A L STATE 097194

E.O.:11652:GDS

TAGS:PN, PFOR

SUBJECT: ANTICIPATED PANAMANIAN INITIATIVE TO QUESTION USG
ISSUANCE OF CANAL ZONE STAMPS AT NEXT CONGRESS OF
UNIVERSAL POSTAL UNION

1. THE 17TH CONGRESS OF THE UNIVERSAL POSTAL UNION (UPU)
WILL BE HELD IN LAUSANNE, SWITZERLAND, FROM MAY 22-JULY 5,
1974. THE US MISSION IN GENEVA UNDERSTANDS THAT PANAMA IS
EXPECTED TO RAISE THE FOLLOWING POLITICAL ISSUE, "ON THE
BASIS OF WHAT UPU CONVENTION DOES THE US ISSUE STAMPS FOR
THE PANAMA CANAL ZONE?"

2. IF PANAMA MAKES A PUBLIC ISSUE OF CANAL ZONE STAMPS
AT UPU CONGRESS, US WOULD BE COMPELLED TO TAKE TRADITIONAL
POSITION THAT UNDER 1903 TREATY, IT HAS USE, OCCUPATION AND
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CONTROL OVER THE CANAL ZONE. IN EXERCISE OF ITS JURIS-

DICTION OVER THE ZONE, THE USG, THROUGH THE PANAMA CANAL COMPANY, FURNISHES POSTAL SERVICES THERE. ARTICLE 3(C) OF THE UPU CONSTITUTION ADOPTED AT VIENNA IN 1964 PROVIDES THAT THE UNION HAS WITHIN ITS JURISDICTION "TERRITORIES WHICH, WITHOUT BEING MEMBERS OF THE UNION, ARE INCLUDED IN IT BECAUSE, FROM THE POSTAL VIEWPOINT, THEY CAME UNDER THE JURISDICTION OF MEMBER-COUNTRIES." IT IS THE UNITED STATES' VIEW THAT THE CANAL ZONE IS SUCH A TERRITORY FOR THE PURPOSES OF ARTICLE 3(C).

3. SHOULD THE ISSUE ARISE, THE UNITED STATES DELEGATION WOULD OF COURSE ATTEMPT TO AVOID GETTING INTO A LENGTHY DEBATE ON THE ISSUE, STATING SIMPLY THAT: (1) THE USG BELIEVES THAT UNDER THE 1903 TREATY AND ARTICLE 3(C) OF THE UPP CONSTITUTION IT HAS ALL NECESSARY AUTHORITY TO OPERATE THE POSTAL SERVICE IN THE CANAL ZONE; (2) THE MATTER OF POSTAL SERVICE IN THE CANAL ZONE IS ONE OF THOSE ISSUES INCLUDED WITHIN THE SCOPE OF THE CURRENT TREATY NEGOTIATIONS BETWEEN PANAMA AND THE UNITED STATES. HOWEVER, WE ARE CONCERNED THAT ACTION OF GOP DELEGATION MIGHT WELL MAKE IT DIFFICULT TO AVOID UNPLEASANT AND UNPRODUCTIVE EXCHANGE ON SUBJECT.

4. ACCORDINGLY, REQUEST EMBASSY DISCUSS REPORTED PANAMANIAN INITIATIVE AT UPU WITH APPROPRIATE FOREIGN MINISTRY OFFICIALS, POINTING OUT THAT DEPARTMENT QUESTIONS DESIRABILITY OF RAISING CANAL ZONE POSTAL ISSUE AT FORTHCOMING CONGRESS WHEN THIS AND OTHER JURISDICTIONAL MATTERS WILL BE ADDRESSED IN CONTEXT OF CURRENT TREATY NEGOTIATIONS. EMBASSY SHOULD NOTE THAT IF PANAMA MAKES PUBLIC ISSUE OF CANAL ZONE STAMPS, USG WOULD HAVE TO RESPOND PUBLICLY WHICH WILL NOT ADVANCE RESOLUTION OF THIS QUESTION. UNDER CIRCUMSTANCES, EMBASSY SHOULD EXPRESS USG'S HOPE THAT PANAMA WOULD RECONSIDER USEFULNESS OF RAISING ISSUE AT THIS TIME IN UPU OR AT LEAST TREAT THIS QUESTION IN LOW-KEY MANNER WHICH WILL NOT AROUSE ADVERSE US REACTION WHILE TREATY NEGOTIATIONS, WHICH WILL ENCOMPASS JURISDICTIONAL QUESTION OF POSTAL SYSTEM, ARE IN PROGRESS.

5. PLEASE PASS TO S. MOREY BELL. RUSH
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